

HOUSE COMMUNICATIONS

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TOMORROW'S FORECAST

- * The House will reconvene for its 15th Legislative Day on Wednesday, February 8, at 10:00 am.
- * 3 bills are expected to be debated on the floor.

GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

MONDAY, FEBRUARY 6, 2006

LEGISLATIVE DAY# 14

TODAY ON THE FLOOR

Speaker of the House Glenn Richardson gaveled the House into session today, at 1:00 pm, for the 14th legislative day of the 2nd Session of the 148th General Assembly. Majority Leader, Jerry Keen, announced that the House will not be in session on Tuesday in honor of and so that Members may attend the funeral of Mrs. Coretta Scott King.

AGREE/DISAGREE

HB 1068 - Cobb County; Board of Education; election of members; amend

- The bill provides for hearings and procedures that the Cobb County Board of Education must follow in establishing school attendance zones.
- Authored by: Rep. Earl Ehrhart
- Y: 126 N: 14
- *This Agreement represents Final Passage of this Bill*

DEBATE CALENDAR

HB 719 - Municipalities; courts; home rule powers; maximum fines

- Amends 36-32-1(c) to provide that it will rule over the local law in terms of the maximum punishment a municipal court may impose – changes language from “unless otherwise provided” to “notwithstanding any contrary provision”. Raises amount of fines and forfeitures in Code Section 36-35-6(C) from \$1,000.00 to \$2,500.00. Adds a new subsection (d) to 36-35-6 to allow municipal corporations to adopt ordinances punishable by fines up to \$2,500.00, notwithstanding other lower limits in the local law
- Authored by: Rep. Ed Lindsey
- House Committee: Judiciary Non-Civil
- Rules Committee: Open
- Amendments: None
- *Bill was Recommended to Committee*

HB 728 - "Mattie's Call Act"; enact

- The legislation adds a new Article 7 that shall be known and cited as the “Mattie’s Call Act”. Section 38-3-111 defines the following terms: 1. Alert system means the state-wide alert system for missing disabled adults 2. ‘Disabled adult’ means an adult who is developmentally impaired or who suffers from dementia 3. ‘Local law enforcement agency means a local law enforcement agency with jurisdiction over the investigation of a missing disabled adult. The office of the Governor, the Georgia Lottery Corporation, and other appropriate law enforcement agencies shall develop and implement a state-wide alert system to be coordinated by a director. This ‘agency’ shall recruit public and commercial television and radio broadcasters, private commercial entities, state or local governmental entities, the public and other appropriate persons to assist in developing and implementing the alert system. After having established that

a disabled adult is missing, a local law enforcement agency shall notify the director to activate the alert system and notify the appropriate participants in the alert systems. 1. A local law enforcement agency believes that a disabled adult is missing. 2. A local law enforcement agency believes that the disabled adult is in immediate danger of serious bodily injury or death. 3. A local law enforcement agency confirms that an investigation has taken place that verifies the disappearance and eliminates alternative explanations for the disabled adult's disappearance. 4. Sufficient information is available to disseminate to the public that could assist in locating the disabled adult. The Georgia Lottery Corporation shall notify its vendors within an alert area designed to disseminate alert information to customers at its retail locations.

- Authored by: Rep. Bobby Franklin
- House Committee: Human Relations & Aging
- Rules Committee: Open
- Amendments: None
- Y: 147 N: 3

HB 912 - Civil practice; production of documents; amend provisions

- HB 912 reinstitutes a procedure in place regarding the release of medical records. In cases where a party's medical condition is at issue, and medical records are requested from a hospital or health care facility, the hospital may release the records, immune from civil or criminal liability, so long as the patient was given 20 days notice and does not object to the release of the records. This shifts the burden to object to the release of privileged information within medical records from the hospitals to the patient.
- Authored by: Rep. Barry Fleming
- House Committee: Special Committee on Civil Justice Reform
- Rules Committee: Modified Open
- Amendments: AM 29-0456 - Adopted
- Y: 153 N: 0

HB 1022 - Members of constitutional commissions; reimbursements; provide

- BILL to be entitled an Act to amend Code Section 45-7-4 of the Official Code of Georgia Annotated, relating to the annual salaries of certain state officials, so as to provide that members of constitutional commissions may be reimbursed for certain expenses incurred during the performance of their official duties; to repeal conflicting laws; and for other purposes.
- Authored by: Rep. Ben Bridges
- House Committee: Appropriations
- Rules Committee: Open
- Amendments:
- *Postponed to next Legislative Day*

* The House will reconvene Wednesday, February 8 at 10:00 am for its 15th Legislative Day of the 2nd Regular Session of the 148th General Assembly.

RULES COMMITTEE

The Committee on Rules today has fixed the calendar for the 15th Legislative Day, Wednesday, February 8, as enumerated below, and can be called at the pleasure of the Speaker of the House.

DEBATE CALENDAR

HB 954 - Public transportation; sale or exchange of tokens, transfers, transaction cards, or tickets without consent, repeal prohibition

- Removes the provision in Code Section 16-12-120.1 that punishes as a misdemeanor the sale of fraudulently obtained transit coins, tokens, transfers and the like.

- Authored by: Rep. Harry Geisinger
- House Committee: Judiciary Non-Civil
- Rules Committee: Open

HB 1019 - "Taser Certification Act"; create

- Prior to use of electronic control weapons or similar devices, peace officers will be required to complete a course of instruction and certification approved by council provided by the Georgia Public Safety Training Center. All persons certified to use electronic control weapons will complete an update or refresher training course as may be prescribed by the council in order for their electronic control weapons certification to remain in force. The council is authorized to withdraw or suspend certification to operate an electronic control weapon of anyone for failure to meet the update or refresher requirements.
- Authored by: Rep. Burke Day
- House Committee: Public Safety
- Rules Committee: Open

HB 1107 - Income tax credit; imposition, rate, and computation; real property; amend

- This bill allows taxpayers, both individuals and corporations, to claim a state income tax credit against their Georgia state income tax liability for each qualified donation of real property for conservation purposes. Any land that is donated must first be certified by the Department of Natural Resources that it is suitable for this purpose. The credit is limited to an amount not to exceed the lesser of \$500,000 or 25% of the fair market value of the donated property for the year in which the donation occurs. Individuals are limited to a maximum credit of \$250,000, whereas corporations are limited to \$500,000. The amount of the credit used in any one year may not exceed the amount of state income otherwise due. Any unused portion of the credit may be carried forward for 5 succeeding years, but the credit cannot be applied to prior years' tax liability.
- Authored by: Rep. Jay Roberts
- House Committee: Ways & Means
- Rules Committee: Structured

**** The Rules Committee will next meet on Wednesday, February 8 at 9:00 am to set the Debate Calendar for the 16th Legislative Day.***

COMMITTEE ACTION REPORT

BANKS & BANKING

HB 1238 - Wire transmission; money; illegal immigrant fee; provide

- HB 1238 provides for an "Illegal Immigrant Fee Act," and would allow taxing wire transmissions to a foreign country by 5% of the amount transmitted. The fee would not apply if the customer presents adequate proof of US citizenship or that the customer is legally present in the US. The standard of such proof of citizenship is the list of acceptable documents as defined by the Department of Homeland Security. Any person who evades the fee would be guilty of a misdemeanor for the first offense; for the second or subsequent offense, a person would be guilty of a misdemeanor of a high and aggravated nature.
- Authored by: Rep. Tom Rice
- Committee Action: The Banks & Banking Committee met to hear HB 1238, which concerns taxing wire transmissions made by illegals. HB 1238 was presented by the author, Rep. Tom Rice. The committee will meet again to discuss either an amendment or substitute. No legislative action was taken.

INTERSTATE COOPERATION

HB 1067 - Georgia Commission on Interstate Cooperation; certain provisions; amend

- This bill changes provisions relating to creation and membership of the Georgia Commission on Interstate Cooperation as follows: The Georgia Commission will be composed of 10 regular members; 5 members of

Senate Committee on Interstate Cooperation; 5 members of the House Committee on Interstate Cooperation; 5 members of the Governor's Committee on Interstate Cooperation will serve in an advisory capacity to the commission. The Georgia Commission will participate as a member of any regional, national, or international nonpartisan legislative organization that promotes interstate or international cooperation. Any nonpartisan legislative organization in which this state that is a participant and has its regional or national headquarters located in this state, is declared a joint governmental agency of this state and of the other states which cooperate through it.

- Authored by: Rep. Ron Forster
- Committee Action: Do Pass by Committee Substitute

JUDICIARY (NON-CIVIL)

HB 535 - Judicial accounting; penalties for failure to remit funds; repeal

- Amends code section 15-21A-8 so as to provide that if a clerk of court fails to pay over any funds less than \$10,000.00, they are guilty of a misdemeanor and if it is over \$10,000.00, they are guilty of a felony.
- Authored by: Rep. Clay Cox
- Committee Action: Do Pass by Committee Substitute

HB 886 - Serious sexual offenders; satellite based monitoring; authorize program

- Amends Code Section 42-1-12 (sexual offender registration) by adding a new sub-section (o) Defines new terms: 'Serious sexual offender' refers to persons convicted in this state, in another state or jurisdiction or who are on parole or probation for committing a serious sexual offense. 'Serious sexual offense' is a new term referring to crimes listed in 42-1-12(a)(4)(B) – 'Criminal offense against a victim who is a minor' and 42-1-12(a)(7) – 'Sexually violent offense. Authorizes DOC and BPP to participate in a monitoring program; DOC will administer the program Continuous satellite based monitoring shall provide: Time correlated and continuous tracking via GPS and other technology Reporting of violations of location or time restrictions
- Authored by: Rep. Jack Murphy
- Committee Action: Do Pass by Committee Substitute

HB 986 - Depositions; persons who are not legal U.S. residents; provisions

- Adds to exceptions for ordering witness testimony by deposition that the witness has not been lawfully admitted to the United States for permanent residency
- Authored by: Rep. John Lunsford
- Committee Action: Do Pass by Committee Substitute

HB 1001 - Concealed weapon; transportation of; offense; change provisions

- Repeals the provision in 16-11-126 that prevents licensed gun owners from carrying concealed weapons in private passenger motor vehicles.
- Authored by: Rep. Burke Day
- Committee Action: Do Pass by Committee Substitute

HB 1029 - Property estates; time limitations; provisions

- Creates a new Code section 44-6-4 that would limit the possibility of reverter – title returning to grantor – or right of entry or reentry to 50 years. If enacted, this would apply to possibilities of reverter or right of entry or reentry created prior to or after July 1, 2006.
- Authored by: Rep. Larry O'Neal
- Committee Action: Do Pass by Committee Substitute

HB 1044 - Firearms; carrying and possession; municipal and city court judges; amend provisions

- Amends Code section 16-11-130 to treat full and part-time municipal and city judges the same with regard to exemptions from state weapons requirements. Currently the Code makes an exception for full-time municipal and city judges.
- Authored by: Rep. Mike Cheokas

- Committee Action: Do Pass by Committee Substitute

HB 1054 - Controlled substances; certain classes; change provisions

- Amend Title 16, Chapter 13 with regard to list of schedule I and IV controlled substances. Designates additional drugs in subsection (b) of 16-13-71 as "dangerous drugs."
- Authored by: Rep. Ron Stephens
- Committee Action: Do Pass by Committee Substitute

** Committee action reports are edited for this report. For full content, please contact the House Committee Services Office at 404-656-3206. Bills passing committees are reported to the Clerk's Office and are then placed on the General Calendar for Rules Consideration.*

COMMITTEE MEETING BROADCAST SCHEDULE

WEDNESDAY, FEBRUARY 8, 2006

9:00 am 341 CAP	Rules Committee
1:00 pm 506 CLOB	Industrial Relations
2:00 pm 506 CLOB	Agriculture
2:00 pm 606 CLOB	Children & Youth
2:00 pm 406 CLOB	Transportation
3:00 pm 403 CAP	Retirement
3:30 pm 406 CLOB	Appropriations - Health
3:30 pm 606 CLOB	Public Safety
4:00 pm 506 CLOB	Games, Fish & Parks

** For full agendas, please visit the General Assembly website, select House Committees. This meeting schedule is set as of 5:00pm today. Times and locations may change at the request of the Committee Chairman.*

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